
DELEGATION OF AUTHORITY

1-39-A. Delegation of Authority to Settle Administrative Equal
Employment Opportunity (EEO) Claims and Complaints

1. PURPOSE: This Order redelegates certain authorities conferred on the regional administrator by Delegation 1-39A of the EPA Delegations Manual.
2. AUTHORITY: On behalf of the U.S. Environmental Protection Agency (EPA or Agency), to enter into settlement agreements that resolve administrative claims and complaints brought against the Agency under various EEO authorities, including the Equal Pay Act of 1963, as amended, 29 U.S.C. 206(d) et seq.; Title VII of the Civil Rights Act of 1964, as amended, 42 U.S.C. 2000e et seq.; the Age Discrimination in Employment Act of 1967, as amended, 29 U.S.C. 621 et seq.; the Rehabilitation Act of 1973, as amended, 29 U.S.C. 701 et seq.; Executive Orders 11478, 12106, 13145, and 13152; and the Equal Employment Opportunity Commission regulations at 29 C.F.R. Part 1614. This includes the authority to settle any and all of a complainant's pending administrative EEO claims and complaints, and mixed case appeals filed by an appellant before the Merit Systems Protection Board.
3. TO WHOM REDELEGATED: The assistant regional administrator, for settlement agreements with complainants in their respective organizations prior to the complainant requesting a hearing before the EEOC or MSPB.
4. LIMITATIONS:
 - a. The settlement authority provided under this delegation may only be exercised with the concurrence of the Director, Office of Civil Rights (OCR), on acceptable parameters for settlement. This concurrence must be obtained as early as practical. If settlement negotiation results in settlement terms that deviate from the parameters concurred upon by the Director, OCR, then the redelegatee must obtain concurrence on the new terms or new parameters before entering into a settlement agreement. The Director, OCR, at his or her discretion, may waive the concurrence requirement, in writing, at any time.
 - b. The settlement authority provided under this redelegation may only be exercised after legal review of a proposed settlement agreement by Office of Regional Counsel.
 - c. Subject to paragraph 4.a., an ORC attorney may engage in discussions and negotiations that may lead to settlement of a claim or complaint by an official who has settlement authority under this redelegation.

ORDER

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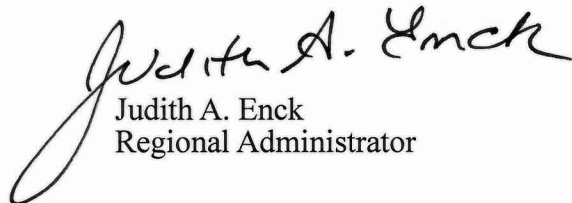
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5. FURTHER REDELEGATION:

- a. This authority may not be further redelegated.
- b. An official who redelegates an authority retains the right to exercise or withdraw the authority. Redelegated authority may be exercised by any official in the chain of command down to the official to whom it has been specifically redelegated.

6. ADDITIONAL REFERENCES:

- a. EPA Delegation 1-34, Litigation Representation
- b. EPA Delegation 1-83, Final Decisions on Formal Complaints of Discrimination
- c. 29 C.F.R. Part 1614



Judith A. Enck
Regional Administrator